

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

BRIAN AMOS,)
)
Plaintiff,)
)
v.) Case No.: 21-cv-249
)
UNITED PARCEL SERVICE,)
INCORPORATED,)
)
Defendant.)

COMPLAINT

JURISDICTION

Jurisdiction lies pursuant to 28 USC 1332 - Diversity of Citizenship.

COUNT I

(Negligence v. United Parcel Service, Incorporated)

COMES NOW Plaintiff, Brian Amos, by and through his undersigned counsel, and for Count I of his Complaint states:

1. That on or about December 11, 2020, the Defendant, United Parcel Service, Incorporated, was a Georgia corporation, authorized and doing business in the state of Illinois, and the employer of Mark Fletcher, a citizen and resident of the state of Missouri.

2. That on or about December 11, 2020, and at all times herein mentioned, the Plaintiff, Brian Amos, was a citizen and resident of the state of Illinois, and an employee of Pacific Rail Services, located in Fairmont City, Illinois.

3. That on or about December 11, 2020, Mr. Fletcher brought his UPS truck and trailer to Plaintiff's employer, for repair of defective lights.

4. That at said time and place the Defendant, by and through its agents, servants and employees, was guilty of one or more of the following negligent acts and/or omissions;

- a. Negligently and carelessly failed to ensure that no one was behind the trailer before backing it up;
- b. Negligently and carelessly failed to do a 360 degree walk around the truck and trailer before backing it up;
- c. Negligently and carelessly failed to signal to any surrounding individuals that he was preparing to back the truck up;
- d. Negligently and carelessly failed to follow existing policies and procedures to guard against the risk of backing over somebody;
- e. Negligently and carelessly failed to appropriately train drivers on safe backing.

5. That as a direct and proximate result of one or more of these negligent acts or omissions on the part of the Defendant as aforesaid, Plaintiff was backed over, and his legs were crushed. He has sustained serious, permanent and painful injuries, especially to his legs, both of which were fractured. He has suffered permanent pain, mental anguish, disability, disfigurement, and has incurred and become liable for large sums of money in hospital, medical and related expenses and will become liable for additional sums in the future. He has been permanently prevented to attending to his usual affairs and

duties and has lost wages and income and will lose additional wages and income, all to his damage in a substantial amount.

Wherefore, Plaintiff demands judgment against the Defendant in an amount greater than \$5,000,000.00, plus costs.

/s/Thomas Q. Keefe, III
THOMAS Q. KEEFE, III
IL REG NO. 6294376
Attorney for Plaintiffs

**KEEFE, KEEFE & UNSELL, P.C.
#6 Executive Woods Court
Belleville, IL 62226
618/236-2221 (Telephone)
618/236-2194 (Facsimile)
Primary: tiffany@tqkeefe.com
Secondary: keefetq@gmail.com**